

**AN ORDINANCE**

**BY TRANSPORTATION COMMITTEE**

**00-0-1482**

**AN ORDINANCE TO AMEND THE 2000 (AIRPORT REVENUE BOND FUND AND AIRPORT RENEWAL & EXTENSION FUND) BUDGETS BY TRANSFERRING TO AND FROM APPROPRIATIONS THE AMOUNT OF \$39,972,548.00 FOR THE PURPOSE OF PARTIALLY REIMBURSING THE AIRPORT RENEWAL AND EXTENSION FUND THOSE FUNDS ADVANCED TO PAY EXPENDITURES RELATED TO PROJECTS THAT WERE APPROVED FOR FINANCING WITH PROCEEDS FROM THE 2000 AIRPORT REVENUE BONDS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta has undertaken a capital improvement program to facilitate major expansions and improvements at Hartsfield Atlanta International Airport in accordance with the new Airport Master Plan; and

**WHEREAS**, the City of Atlanta, Georgia (the "City"), issued Airport General Revenue Bonds to finance the costs of the acquisition, construction and reconstruction of certain improvements (Project) at William B. Hartsfield Atlanta International Airport (the "Airport"); and

**WHEREAS**, the City encumbered funds to pay expenditures related to the "Project" prior to the issuance of its 2000 Airport Revenue Bonds; and

**WHEREAS**, the City's Airport Renewal & Extension Fund is authorized to receive reimbursement for said expenditures from proceeds of the 2000 Airport Revenue Bonds via the Inducement Resolution (99-R-1473) adopted by the Atlanta City Council and approved by the Mayor, September 7, 1999 and September 15, 1999 respectively; and

**WHEREAS**, a partial reimbursement of funds from the 2000 Airport Revenue Bond Fund (2H27) to the Airport Renewal & Extension Fund (2H21) covers payments up to August 14, 2000 as shown in Exhibit "A"; and

**WHEREAS**, the City must complete an Interfund Operations Transfer of funds to execute partial reimbursement of funds to its Airport Renewal & Extension Fund (2H21) from its 2000 Airport Revenue Bond Fund (2H27).

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1:** That appropriations in the 2000 Airport Revenue Bond Fund be transferred as follows:

**TRANSFER FROM APPROPRIATIONS**

2H27 791001	T11001 Reserve for Appropriation	\$39,972,548.00
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**TRANSFER TO APPROPRIATIONS**

2H27 762001	R21001 Interfund Operations Transfer	\$39,972,548.00
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**SECTION 2:** That the Chief Financial Officer be and is hereby authorized to pay \$39,972,548.00 from the 2000 Airport Revenue Bond Fund (2H27 562001 R21001) to the Airport Renewal & Extension Fund (2H21 492418 B00001).

**SECTION 3:** That the 2000 (Airport Renewal & Extension Fund) Budget be and is hereby amended as follows:

**ADD TO ANTICIPATIONS**

2H21	692418	B00001	Operations Trans. Fm.	\$39,972,548.00
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**ADD TO APPROPRIATIONS**

2H21	791001	T11001	Reserve for Appropriation	\$39,972,548.00
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**SECTION 4:** That all ordinances and parts of ordinances in conflict herewith, be and the same are hereby repealed.

## **EXHIBIT "A"**

Runway 9R27L Reconstruction	\$29,233,862.00
Concourse "E" 4 Gate Expansion	\$3,420,989.93
5 Addition APM Vehicles	\$3,930,177.50
AirTran Concourse "C" South Gate Expansion	\$1,996,720.43
Concourse "E" Expansion Phase II (Moving Sidewalks)	\$557,969.80
Non Licensed Vehicle Road Widening	\$446,772.01
Concourse "E" Landside Access (East Terminal)	\$305,658.26
Signage & Graphics	\$ 74,689.61
Air Traffic Control Tower Relocation	\$5,376.00
Concourse "E" Pre-Conditioned Air	<u>\$ 332.00</u>
<b>Total</b>	<b><u>\$39,972,548.00</u></b>

**CITY COUNCIL**  
**ATLANTA, GEORGIA**

99-*R*-1473

**A RESOLUTION**

**BY TRANSPORTATION COMMITTEE**


A RESOLUTION OF THE CITY OF ATLANTA, GEORGIA, EXPRESSING ITS OFFICIAL INTENT TO REIMBURSE ITSELF FROM THE PROCEEDS OF A BORROWING FOR PURPOSES OF COMPLIANCE WITH TREASURY REGULATIONS SECTION 1.150-2, WITH RESPECT TO THE PLANNING, ACQUISITION, CONSTRUCTION AND RECONSTRUCTION OF CERTAIN IMPROVEMENTS AT WILLIAM B. HARTSFIELD ATLANTA INTERNATIONAL AIRPORT; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta, Georgia (the "City"), intends to finance the costs of the acquisition, construction and reconstruction of certain improvements at William B. Hartsfield Atlanta International Airport (the "Airport"), including, but not limited to (i) the acquisition of land, planning, engineering, design, site preparation and construction of a fifth parallel runway, taxiway, and supporting facilities (including, without limitation, the design and construction of: (a) bridges for the support of a runway and taxiway over a portion of an existing interstate highway (b) realigned roadways and non-licensed vehicle roadways (c) electrical power lines and substations (d) an additional fire station and associated equipment, and (e) a new Air Traffic Control Tower and associated equipment and instrumentation), (ii) the planning, design and, construction of a new eastside terminal complex providing landside access to the international concourse, additional parking, the addition of new concourse gates and the installation of jetways, security posts and associated systems and facilities, (iii) the planning, design, and construction of a Consolidated Rental Car Facility, and improvements to the main airport access roadway and the terminal, parking and, (iv) the planning, design, construction and installation of upgrades, replacements and other capacity enhancements to the existing terminal complex and airfield, including maintenance and upgrades to the automated people mover system, all of the foregoing projects being located at or adjacent to the Airport at 6000 North Terminal Parkway, College Park, Georgia (collectively, the "Project"); and

WHEREAS, the City expects to advance its own funds to pay expenditures related to the Project prior to incurring indebtedness and to receive reimbursement for such Expenditures from proceeds of tax-exempt obligations or taxable debt, or both.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ATLANTA, GEORGIA, that:

**SECTION 1:** The City intends to utilize the proceeds of tax-exempt obligations or to incur other debt (the "Obligations"), to partially pay the costs of the Project in an amount not currently expected to exceed \$300,000,000.



**SECTION 2:** The City intends that the proceeds of the Obligations may be used to reimburse the City for certain expenditures with respect to the Project (the Expenditures") made after the date which is 60 days prior to the date of this Resolution. The City reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Obligations or other debt.

**SECTION 3:** Each Expenditure was or will be, unless otherwise approved by bond counsel, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Obligations, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the City so long as the grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the City.

**SECTION 4:** The City intends to make a reimbursement allocation, which is a written allocation by the City that evidences the City's use of proceeds of the Obligations to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The City recognizes that exceptions are available for costs of issuance, certain *de minimis* amounts, expenditures for long term construction projects for which both the City and a licensed architect or engineer certify that at least five (5) years is necessary to complete the construction and certain "preliminary expenditures" including amounts up to, but not in excess of 20% of the issue or issues which finance or are reasonably expected to finance the project. Preliminary expenditures may include planning, architectural, engineering, surveying, soil testing, reimbursement bond issuance and similar costs that are incurred prior to the commencement of the acquisition, construction or rehabilitation of the project, other than land acquisition, site preparation, and similar cost incident to the commencement of construction.

**SECTION 5:** The City intends that the adoption of this resolution confirms the "official intent" within the meaning of treasury Regulations Section 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended.

**SECTION 6:** That the Chief Financial Officer for the City be and hereby directed to reimburse the Airport Renewal & Extension Fund from the proceeds of the bond sale by adding to the appropriations account 2H21 791001 T11001 an amount equal to the Expenditures deemed reimbursable.

A true copy

  
Deputy Clerk

ADOPTED by the City Council  
APPROVED by the Mayor

September 07, 1999  
September 15, 1999

**TRANSMITTAL FORM FOR LEGISLATION**

**To Mayor's Office:** Greg Pridgeon

**General Manager's Signature:** *M. Anderson*

**From: Originating Department** Aviation

**Contact Person:** Charles Bell 404-209-2945 ext.147

**Committee of Purview:** TC

**Committee Deadline:** 09/15/00

**Committee Meeting:** 09/27/00

**Council Meeting:** 10/02/00

**CAPTION:**

**AN ORDINANCE TO AMEND THE 2000 (AIRPORT REVENUE BOND FUND AND AIRPORT RENEWAL & EXTENSION FUND) BUDGETS BY TRANSFERRING TO AND FROM APPROPRIATIONS THE AMOUNT OF \$39,972,548.00 FOR THE PURPOSE OF PARTIALLY REIMBURSING THE AIRPORT RENEWAL AND EXTENSION FUND THOSE FUNDS ADVANCED TO PAY EXPENDITURES RELATED TO PROJECTS THAT WERE APPROVED FOR FINANCING WITH PROCEEDS FROM THE 2000 AIRPORT REVENUE BONDS; AND FOR OTHER PURPOSES.**

**BACKGROUND/DISCUSSION:**

This paper authorizes an interfund transfer from the 2000 Airport Revenue Bond Fund to the Renewal & Extension Fund. The Department of Aviation began its Capital Improvement Program (projects) to facilitate major expansion prior to the issue of Bonds in April, 2000. Many of the projects were to be funded from the proceeds from the 2000 Bonds. The Bond Issuance did not occur as scheduled which forced the Department of Aviation to initiate critical projects prior to the bond issuance. The City, however, is approved (Inducement Resolution 99-R-1473) to reimburse its Airport funds for expenditures incurred on projects intended to be funded with the proceeds of the 2000 Bonds. The funds transferred represent expenses incurred by Aviation through August 14, 2000 on various projects, which were to be funded from the proceeds of the 2000 Bonds. The reimbursement process will be done in phases as this represents the first, will not account for all expenses because the eligible projects have not yet been completed.

**FINANCIAL IMPACT:** \$39,972,548.00

**SOURCE:** 2000 Revenue Bond Fund

Fund Account Center numbers and availability of funds verified by Financial Analyst, Tracy Curry.

**Mayor's Staff Only:**

Received by Mayor's Office: 9/7/00 (Date) Reviewed: *TCB* (Initials) 9/15/00 (Date)

Submitted to Council: \_\_\_\_\_

Action by Committee:        Approved        Adversed        Held  
       Amended        Substituted        Referred        Other